IN THE HIGH COURT OF BOMBAY AT GOA

CIVIL APPLICATION NO. 301 OF 2005

IN

FIRST APPEAL NO. 265 OF 2005

SHRI FRANCISCO XAVIER FERRAO, MARGAO GOA ....Applicant

Versus

PROF. FILOMENO BONIFACIO DE VIERA MENEZES (SINCE DEC.) REP.L.RS., ...Respondent

Mr. D. Pangam, Advocate for the applicant.

Mr. C. Mascarenhas, Advocate for respondents No.1 to 8.

Mr. S. Vahidulla. Addl. Government Advocate for for respondents No.9 and 10.

Coram:- A. P. LAVANDE, J.

Date:- 23rd March, 2006

P.C.

Heard Mr. Pangam, learned Counsel for the applicant, Mr. Mascarenhas, learned Counsel for respondents No.1 to 8 and Mr. Vahidulla, learned Addl. Govt. Advocate for respondents No.9 and 10. There is no dispute that during the pendency of the suit before the trial Court, an injunction was operating against the appellant. Hence, the application seeking stay of the impugned Decree is rejected except to the extent the decree directs respondent No.2 to remove the pots from the coconut trees existing in Chalta No.7 of P.T. Sheet No.148 of City Survey Margao. The application stands diposed of.

A. P. LAVANDE, J.

ssm.